IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6609 of 2007(A)

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CRMP.8065/2007 of JUDICIAL FIRST CLASS MAGISTRATEII, PUNALUR
CRIME NO. 232/2007 of KUNNICODE POLICE STATION

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PETITIONER/ACCUSED:

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JOSE KUTTY,AGED 26,KALLUPURATHU
PADINJATTETHIL VEEDU,NEAR CHAPPATHU MUKKU,
VILLOOR MURI,MELILA VILLAGE.

BY ADV. SRI.RAJA VIJAYARAGHAVAN
SRI.M.T.SURESHKUMAR

RESPONDENTS:

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STATE OF KERALA THROUGH THE S.I OF
POLICE KUNNICODE REPRESENTED BY THE PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J**

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**B.A.No. 6609 of 2007**

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Dated this the 31st day of October, 2007

**ORDER**

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 128 litres of spirit on 7.06.2007. The petitioner was arrested on 27.8.07. He continues in custody from that date. Investigation is not yet complete. Final report has not been filed.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, a period of 60 days having already expired from the date of first detention and final report has not been filed and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all

Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R.BASANT, JUDGE)**

sj

/TRUE COPY/

P.A.TO JUDGE